

INITIAL STUDY / PROPOSED MITIGATED NEGATIVE DECLARATION AMENDMENT

270 Beach Road – Addition of floating dock at 270 Beach Road Belvedere

City of Belvedere
Marin County, California

OCTOBER 2024

Prepared for:



City of Belvedere Planning Department
450 San Rafael Avenue Belvedere,
CA 94920-2336

Contact:
Sean Kennings
Planning Consultant
415-533-2111

ABBREVIATIONS AND ACRONYMS

AB 52	Assembly Bill 52
ABAG	Association of Bay Area Governments
BAAQMD	Bay Area Air Quality Management District
BASMAA	Bay Area Stormwater Management Agencies Association
BCDC	San Francisco Bay Conservation and Development Commission
CDFW	California Department of Fish and Wildlife
CFGC	California Fish and Game Commission
CEQA	California Environmental Quality Act
dB	Decibel
EFH	Essential Fish Habitat
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
IS/MND	Initial Study/Mitigated Negative Declaration
LTMS	San Francisco Bay Long-Term Management Strategy
MCSTOPPP	Marin County Stormwater Pollution Prevention Program
MHW	Mean High Water
MLLW	Mean Lower Low Water
NAVD88	North American Vertical Datum 1988
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
RHNA	Regional Housing Needs Assessment
RWQCB	Regional Water Quality Control Board
RBSAP	Richardson Bay Special Area Plan
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
UBC	Uniform Building Code
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service

**APPENDIX G OF
2023 CEQA CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTES AND GUIDELINES
INITIAL STUDY CHECKLIST**

1. **Project Title:** 270 Beach Road – Addition of Floating Dock to existing Dock on Replacement on City-owned Tide Lots
2. **Property Owner:** James and Hollie Moore Haynes, 270 Beach Road, Belvedere, CA 94920
3. **Project Sponsor’s Name and Address:** James and Hollie Moore Haynes, 270 Beach Road, Belvedere, CA 94920
4. **Contact Person, Phone Number and Email:** Sean Kennings, Contract Planner, (415) 533-2111, sean@lakassociates.com
5. **Project Location and APN:** City-owned tide lots APN 060-225-06 and 060-261-11, located adjacent to 270 Beach Road (APN 060-225-01), Belvedere, CA 94920 (see Figure 1 and 2)
6. **General Plan Description:** Open Space
7. **Zoning:** R (Recreation) – City-owned lot (APN 060-261-11); and O (Open Space) – City-owned lot (APN 060-225-06)
8. **Environmental setting and surrounding land uses:** The project site is located on the east side of Belvedere Island in Belvedere Cove and is surrounded by residential properties, many with private piers and floating docks, and the open waters of Belvedere Cove. Lower Woodwardia Lane, a 10-foot wide, city-owned lane, runs along the northwest side of the property at 270 Beach Road. According to City records, the residence at 270 Beach Road was likely constructed around 1894; however, it has been renovated and remodeled several times over the years.
9. **Background/Project History:** An application was filed in 2017 to replace a pier and floating dock at 270 Beach Road that would extend approximately 140 feet seaward into Belvedere Cove on parcels owned by the City of Belvedere. The constructed pier (fall of 2021) included the replacement of a previously existing dock with a wood framed pier and floating dock. The replacement pier includes a 4-foot-wide walkway extending from the base of the shorefront, located slightly to the north of the present pier walkway. This walkway leads to a pier head that extends seaward (northeast) and to the south of the walkway's centerline. The replacement floating dock extends seaward (northeast) from the walkway's centerline, which rotates the float approximately 115 degrees from the past float orientation to improve navigation and reduce wave action on the structure. The pile-supported, 702-square foot wood pier was constructed with wood framing and wood decking spaced at ½-inch intervals. Pilings support the pier and include a total of 12, 12-inch diameter steel pilings with polyethylene sleeves below the high tide line and mean high water line. The 45-square-foot gangway is prefabricated and made of aluminum. The 352-square-foot floating dock is constructed of Alaska yellow cedar beams and polyethylene encapsulated flotation units. The gangway is a prefabricated aluminum structure. Pilings support the float and includes a total of four 12-inch diameter steel pilings with polyethylene sleeves. Two berthing piles are installed 15 feet north of and parallel to the floating dock.

To implement the project, a licensed marine contractor first removed the existing pier, floating boat dock, and existing creosote preserved wood piles. The proposed floating dock was constructed at an upland location and floated to the site. Pile removal and installation was conducted using a barge-mounted crane and drop hammer using a wood block cushion.

The total proposed square footage (aka new “fill”) including new piles and gangway, was 993 square feet, which was approximately 2 feet less than pre-existing “fill” amount.
10. **Project Description:** The current project proposes the addition of a new 223 sf floating dock finger adjacent to the existing floating dock to accommodate a private vessel use by the property owner. (see Figure 5 below). A new 12-inch diameter steel piling with a

black polyethylene jacket will be installed to support the new floating dock. Two 12-inch diameter steel berthing pilings will be removed from the San Francisco Bay.

Floating dock finger addition: The area of the proposed floating dock finger addition is 223 sf. The addition of the new floating dock finger to the existing overwater structure will increase the total area of the overwater structure to 1,312 sf (not including the slip space). The new floating dock is shaped like the letter “L” and will be positioned parallel to the existing floating dock and oriented at 40 degrees, within 45 degrees of the north-south direction. The longer portion of the proposed addition is 39 feet long by 4 ft wide and the shorter portion of the addition at the head of the slip is 18 feet long by 4 ft wide. Two filler triangles will be installed in the inside corners of the slip. The floating finger dock will be composed entirely of untreated glued laminate cedar connected with steel hardware. The deck will float on ten polyethylene floats, each 4 ft long, 2 ft wide and 20 inches high. A steel pile hoop will connect the floating dock to the new pile.

New pile installation: One new 12-inch diameter steel pile wrapped in plastic jacketing will be installed at the southern corner of the floating dock addition for support. The footprint of this pile is roughly 1 sf.

Berthing pile removal: The two berthing piles located to the northeast of the existing floating dock will be removed from the Bay as they would no longer be needed if a slip is available.

Vessel Moorage: The private vessel will be moored in between the two floating docks. The slip space is 14 ft wide and 35 feet long for an area of 490 sf. The vessel planned to be moored is 28 ft long and 8 ft wide for an area of 224 sf. It should be noted that a 40 ft long by 12 ft wide vessel can already be moored as previously authorized.

All project actions are located bay ward of the mean high tide (MHT) line in the Corps and RWQCB's jurisdiction.

11. **Other agencies whose approval is required** (e.g., permits, financing approval, or participation agreement).
The project does not require any other agency for review and approval.

Responsible (R) and Trustee (T) Agencies

Other Agencies Contacted

U.S. Army Corps of Engineers (USACE), San Francisco Bay Conservation and Development Commission (BCDC), and San Francisco Bay Regional Water Quality Control Board (RWQCB), US Fish and Wildlife Service (USFW) and National Marine Fisheries Service (NMFS) for in-water construction.

13. **Tribal Cultural Resources. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resource, procedures regarding confidentiality, etc.?** On August 24, 2024, an invitation was sent to Native American tribes who had a cultural interest in the area and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received within 30-days of the Tribe's receipt of the invitations.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Town of Belvedere Environmental Resource Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the environmental background information contained in the permanent file on this project.

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Sean Kennings, Planning Consultant

Date

Figure 1: Project Location

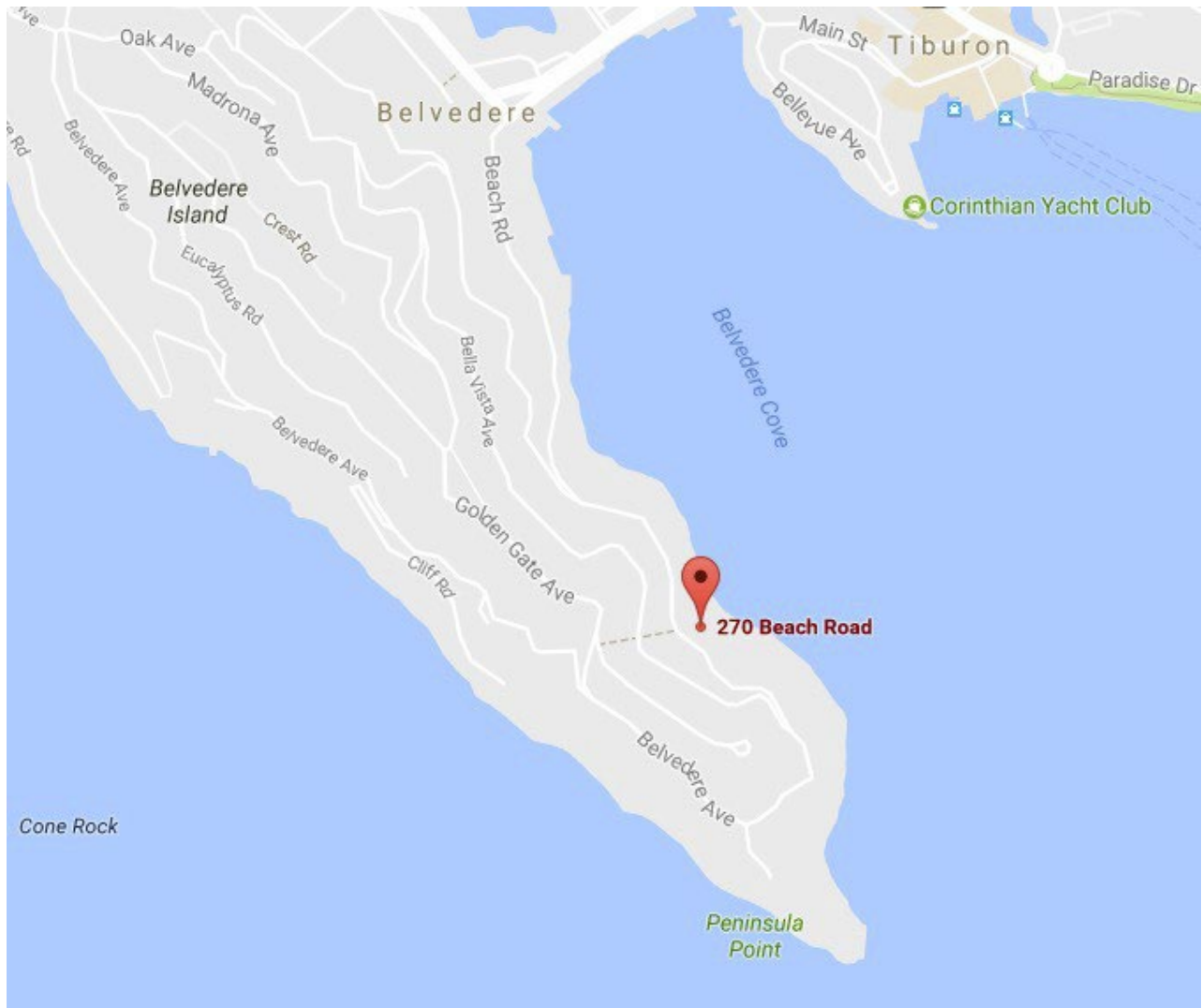


Figure 2: Project Site and Surrounding Area



Figure 3: View of Existing (2023) Pier Structure

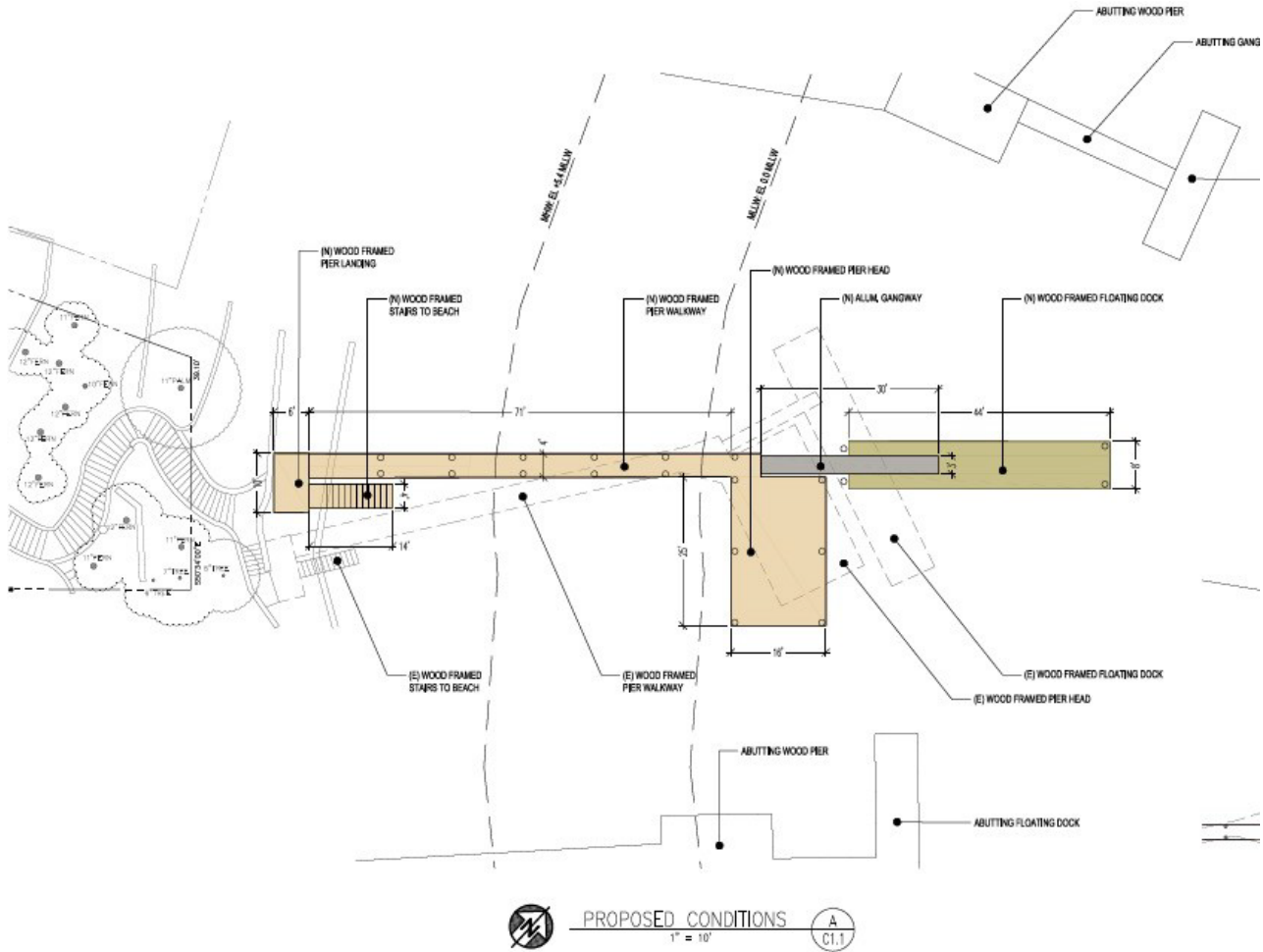


EXISTING DECKING IPE



EXISTING GANGWAY ALUMINUM W/ TRHU FLOW DECK

Figure 4: 2021 Pier/Dock Addition



EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
2. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
3. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
4. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
5. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
6. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
7. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
8. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The existing pier, gangway and floating dock are located on two City-owned water parcels: APN 060-261-11, zoned "Recreation"; and APN 060-225-06, zoned "Open Space". Both of these City-owned parcels have an Open Space designation on the City of Belvedere General Plan 2030 Land Use Map. APN 060-261-11 is a 70-acre parcel comprised of the open waters of Belvedere Cove. APN 060-225-06 is a parcel conveyed to the City of Belvedere from the Belvedere Land Company, and is one of five parcels that comprise an area along the westerly side of Belvedere Cove, referred to as "The Strip". Lower Woodwardia Lane, which runs along the northwest side of the property at 270 Beach Road, is part of APN 060-225-06.

As noted in General Plan 2030, there are several vantage points in the community where residents and visitors can enjoy scenic views of Belvedere and the surrounding areas. Scenic views are protected in a variety of ways -- in the R-Recreation and O-Open Space Districts, scenic views are protected by limitations on new uses, as outlined in Sections 19.16 and 19.20 of the Belvedere Municipal Code.

Applicable Local Plans, Policies, Regulations, and Laws

Richardson Bay Special Area Plan

The Richardson Bay Special Area Plan (RBSAP) was prepared in 1984 to provide uniform policies and standards to be used by the five local governments with jurisdiction over its waters and shoreline: Marin County and the Cities of Belvedere, Mill Valley, Sausalito, and Tiburon; and the San Francisco Bay Conservation and Development Commission (BCDC), to manage the future use and protection of this valuable natural resource. This Plan is intended to be a more specific application of the general regional policies of the San Francisco Bay Plan, and a supplement to those policies because of the unique characteristics of Richardson Bay. The Richardson Bay Special Area Plan was adopted as part of City of Belvedere General Plan 2030, and many of the policies contained in General Plan 2030 are based on policies contained in the Richardson Bay Special Area Plan.

The RBSAP defines "public access" as including visual access from inland areas to Richardson Bay and its shoreline, and from the water to the inland areas. Therefore, it is appropriate to consider the policies in this plan in the context of how the proposed project could affect views to and from Richardson Bay. This plan also acknowledges that probably the most widely enjoyed "use" of the Bay is simply viewing it -- from the shoreline, from the water, and from afar. This plan also acknowledges that improperly sited buildings and plantings of dense vegetation often block major view corridors to the Bay.

Policies contained in the Richardson Bay Special Area Plan that are most relevant to the proposed project are listed below:

Richardson Bay Special Area Plan - Public Access, Views, and Vistas

Policy 10: In all shoreline development, the siting and height of all buildings and placement of landscaping should maintain views and vistas of Richardson Bay, Mount Tamalpais and San Francisco through the project from major roadways, vista points, and the shoreline. All development should be subject to design review processes.

Policy 12: New shoreline development should be built in clusters, leaving open space around or through the buildings to provide views of the Bay. Areas designated as view corridors within these projects should not be blocked by parked cars, high vegetation or other obstructions that restrict Bay views. Building colors and materials should complement the natural setting.

Policy 13: Publicly owned lands which provide views or vistas of the Bay, such as streets, walkways, and rights-of-way, should be designated as view corridors.

Policy 14: Plant materials for shoreline landscaping should be selected and sited to dramatize and enhance views of the water for shoreline users. The plant materials used should have demonstrated capacity to thrive with minimum maintenance under high wind speed, high atmospheric salt content, a highly saline water table, and poor subsurface soil with varying drainage capabilities. Whenever possible, native plant materials should be used.

Policy 16: Marin County and the cities abutting Richardson Bay participating in the implementation of the Richardson Bay Special Area Plan should, as part of their current and future planning procedures, identify locations affording or potentially affording views of Richardson Bay and San Francisco Bay and make provisions in their current and future planning and development processes to safeguard important existing and potential view corridors and vista points of the water from land and the land from the water, whenever such sites are proposed for development, redevelopment, alterations or additions. Planning departments of the County, cities, and BCDC should work jointly to identify short and long-range views and vista goals and a uniform implementation policy.

City of Belvedere General Plan 2030

The City's General Plan 2030 includes policies intended to protect and maintain views from open space areas where views are enjoyed, including the following:

GOAL LU-1: Ensure that development maintains the unique character of Belvedere.

Policy LU-1.3: New construction is to be in harmony with existing development.

Actions:

LU-1.3.1: To ensure environmental quality and maintain the density and character of the neighborhoods, the City shall apply design review standards in addition to controls on height, bulk, floor areas, and setbacks.

Policy LU-1.4: Views from public spaces of the Bay, San Francisco, and the mountains are to be retained wherever possible.

Actions:

LU-1.4.1: The Zoning Ordinance includes provisions for the dedication of a view site or easement.

Policy LU-1.8: Create consistent development standards for waterfront maritime improvements.

Actions:

LU-1.8.1: Prepare a master plan for all shoreline properties for the installation of docks, decks, boatlifts, and floats.

- a-c. **Scenic Vistas and Scenic Resources.** The addition to the existing pier and floating dock with new floating dock area in the same general location would not have a substantial adverse effect on a designated scenic vista. Scenic vistas from Beach Road and other nearby public spaces would not change as a result of the proposed project. Furthermore, the proposed project would not damage any scenic resources such as trees, rock outcroppings. Therefore, impacts to scenic vistas and resources would be less than significant.

Visual Character. The addition to the existing pier and floating dock in the same general location would not substantially degrade the existing visual character or quality of the site or its surroundings because: 1) the proposed materials of the pier, gangway and floating dock are similar to and compatible with other maritime improvements in the vicinity; and 2) the proposed Project is subject to Design Review, which would provide controls to ensure that the visual character of the site and surrounding area are not changed substantially, and the overall mass and scale of structures are appropriate. Specifically, the City's Design Review Ordinance, Title 20, would ensure that new structures and other improvements would be harmonious with the neighborhood and the larger community.

The Design Review Ordinance criteria and standards include but are not limited to the following:

- **Preservation of existing site conditions (BMC 20.04.110)** requires that projects be designed to minimize cut and fill areas, and grade changes should be minimized and kept in harmony with the general appearance of the neighboring landscape.
- **Relationship between structures and the site (BMC 20.04.120)** requires that there be a balanced and harmonious relationship among the structures on the site, between the structures and the site itself, and between the structures and those on adjoining properties.
- **Minimizing bulk and mass (BMC 20.04.130)** requires that all new structures and additions be designed to avoid monumental or

excessively large dwellings that are out of character with their setting or with other dwellings in the neighborhood. All buildings should be designed to relate to and fit in with others in the neighborhood and not designed to attract attention to themselves.

- **Colors and materials (BMC 20.04.140)** requires that building designs should incorporate materials and colors that minimize the structures' visual impact and blend with the existing land form and vegetative cover.
- **Privacy (BMC 20.04.160)** requires that building placement and window size and placement are designed in a manner to preserve the privacy of adjacent structures.
- **Exterior lighting, skylights and reflectivity (BMC 20.04.180)** requires all exterior lighting to face downward and avoid creating glare or annoyance.
- **Landscape Plans (BMC 20.04.200)** requires that landscape plans be compatible with the character of the site and surrounding developed properties.

The proposed project requires review and approval by the Belvedere Planning Commission who will review the application based on the criteria above. These requirements, which are implemented as part of the design review and/or building permit process, ensure that any aesthetic impacts due to the proposed project, would be reduced to less than significant.

- d. There is no exterior lighting proposed as part of this project. Furthermore, BMC 20.04.180 requires all exterior lighting to face downward and avoid creating glare or annoyance. These requirements, which are implemented as part of the design review and/or building permit process, ensure that the project would not create substantial light or glare that would adversely affect day or nighttime views in the area, and impacts would be reduced to less than significant. The project would not have a significant impact resulting from new sources of outside lighting. As part of the project approvals a standard condition pursuant to the Belvedere Municipal Code Section below will be included:

Belvedere Municipal Code

20.04.180- Exterior Lighting, skylights, and reflectivity

A. Exterior lighting should not create glare, hazard, or annoyance to neighboring property owners or to passers-by. Lighting should be shielded and directed downward, with location of lights coordinated with the approved landscape plan. Lamps should be low wattage, should be incandescent, and except for outdoor Christmas lights, shall not be colored.

B. Where visible from off-site locations, skylights should not have white or light opaque colored exterior lenses.

C. Large areas of glass on the roof or walls of a building that reflect or project substantial amounts of light towards nearby structures should be avoided.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II.	AGRICULTURE AND FOREST RESOURCES. Would the project:				
	a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Important (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Conflict with existing zoning for, or cause rezoning of, forest land as defined in Public Resources Code Section 12220(g), timberland as defined in Public Resources Code Section 4526, or timberland zoned Timberland Production as defined in Government Code Section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Result in the loss of forest land or conversion of forest land to non-forest use in a manner that will significantly affect timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, or other public benefits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-e. No agricultural uses or activities will be adversely affected by the project as there is no Prime Farmland nor are there any agricultural uses within the City of Belvedere. Therefore, the project would have no impact on agriculture or forest resources.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Applicable Local Plans, Policies, Regulations, and Laws

Bay Area Air Quality Management District

The Bay Area Air Quality Management District (BAAQMD), established by the California Legislature in 1955, is the agency primarily responsible for assuring that the national and State ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle greenhouse gas emissions, conducting public education campaigns, as well as many other activities.

City of Belvedere General Plan 2030

The City's General Plan 2030 includes the following goal and policy related to air quality:

Goal SUST-13: Ensure healthful air quality.

Policy SUST-13.1: Utilize the thresholds of significance for construction-related criteria pollutant emissions as the absence/presence of Bay Area Air Quality Management District performance-based best management practices. As these best management practices may change over time at the discretion of the Bay Area Air Quality Management District,

a-d. The project site has been designated as Recreation and Open Space in the City's General Plan and Zoning Ordinance, and the upland parcel at 270 Beach Road has been developed with a single-family home since the late 1800's. The addition to the existing pier and floating dock is consistent with the historic use of the property and the land uses anticipated by the General Plan. These land uses were found to be at a level of development already anticipated by the Bay Area Clean Air Plan and the Ozone Attainment Plan.1 As such, the proposed project would not conflict with or obstruct either of these plans.

The General Plan also contains Policy SUST-13.1, which requires construction to utilize Bay Area Air Quality Management District (BAAQMD) performance-based best management practices. The construction and use of the proposed pier, gangway and floating dock is not associated with any significant source of construction- or operation-related air pollution or odors. Therefore, implementation of the project would not conflict with or obstruct implementation of any air quality plan, result in a violation of air quality standards, result in a significant increase in criteria pollutants, result in the exposure of sensitive receptors to air pollutants, or result in the creation of objectionable odors. Therefore, no air quality impacts would result from the operation of the proposed project.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, Coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The project site is located within the intertidal/subtidal area of Belvedere Cove, which is part of Richardson Bay and the larger San Francisco Bay. The most sensitive biological habitat in Belvedere is the aquatic marine habitat along the shoreline and in the surrounding waters. Therefore, the primary biological concerns in Belvedere are related to the aquatic habitat in San Francisco Bay. The Belvedere General Plan 2030 lists two sensitive aquatic species - eelgrass and Olympia oysters -- documented in the area have no designated federal or state status but play important roles in the ecology of the San Francisco Bay. Eelgrass is considered essential fish habitat for special status aquatic species.

Pursuant to the 2017 270 Beach Road Pier and Dock Replacement ISMND and construction in 2021, a Post-Construction Eelgrass Survey was prepared by Sunset Ecological Solutions in January 2024 and a supplemental biological site investigation was prepared in February 2024 to evaluate existing conditions and determine potential impacts and recommended mitigation measures outlined for Eelgrass habitat.

Eelgrass Habitat Impacts

Eelgrass bed coverage area and density varies between seasons and years depending upon various environmental factors and influences, such as fresh water outflow, nutrient availability, and light availability (generally related to natural turbidity) and storm events. In locations where eelgrass beds have persisted over many years and where eelgrass has been documented as absent for many years can give some confidence of the eelgrass occurring in future seasons. However, at the edges of the beds where expansion and contraction occur, and in areas with marginally suitable habitat is located, eelgrass coverage and density can be quite variable. In these locations, predictions of how an eelgrass bed will grow or recede or will start to grow is difficult and any predictions cannot be made with any specific level of accuracy. Therefore, predictions of how a specific project might impact eelgrass beds for the following seasons is difficult, except where eelgrass has been consistently present or absent for many years.

Within the Project Study Area an eelgrass bed comprising approximately 8,686 square feet (0.199 acres) of vegetated eelgrass habitat was mapped, occurring between the piers to the north and south as well as underneath the southeastern side of the dock. The bed is located between approximately 1.2 feet below MLLW and 4.9 feet below MLLW. This eelgrass bed was relatively continuous along the frontages of the existing floating docks and extended along the coast, both north and south beyond the Project Study Area. Unvegetated eelgrass habitat within the Project Area totaled 5,157 square feet (0.118 acres).

Applicable Local Plans, Policies, Regulations, and Laws

City of Belvedere General Plan 2030

The City's General Plan 2030 includes the following polices related to the protection of biological resources:

Goal SUST-10: Protect natural habitats and biological resources including sensitive aquatic habitat, streams, and riparian corridors.

Policy SUST-10.1: Remain updated on the status of potential avoidance and mitigation measures related to potentially endangered and special status species.

Policy SUST-10.2: Regulate and mitigate the impacts of pile replacement, installation and enforcement for structures built over water and installation and expansion of piers, docks and boat hoists.

Policy SUST-10.4: Protect eelgrass colonies and individual eelgrass plants.

Actions:

SUST-10.4.1: Development activities shall be designed to avoid impacting areas where surveys document the presence of beds and patches of eelgrass.

SUST-10.4.2: Permanent structures such as piers and docks shall be designed to maximize the amount of sunlight available to eelgrass, as based on the best available research.

SUST-10.4.3: Mitigations to eelgrass, based on the best available science, shall be implemented if avoidance and minimization measures are not feasible.

Waters of the U.S. and State

The proposed pier addition would be located within Richardson Bay, a navigable waterway and part of the greater San Francisco Bay. Impacts within navigable waterways are in the jurisdiction of the US Army Corps of Engineers (USACE). While the replacement of pilings associated with piers is not considered to have the effect of a discharge or fill material into the Bay, installation of structures within navigable waters of San Francisco Bay is subject to USACE jurisdiction under Section 10 of the Rivers and Harbors Act. In addition, under regulatory guidelines issued by the National Marine Fisheries Service (NMFS), any federal agency that authorizes, funds, or undertakes action that may affect Essential Fish Habitat (EFH) is required to consult with NMFS.

The San Francisco Bay Regional Water Quality Control Board (RWQCB) jurisdiction applies to all "Waters of the State," which the Water Boards have interpreted to include all federal waters and wetlands and non-federal isolated waters. Additionally, under the California Porter-Cologne Act, the RWQCB regulates impacts to water quality. The project site does not contain any isolated wetlands; however, the portion of the site located seaward of the observed HTL within the San Francisco Bay is subject to RWQCB jurisdiction under Section 401 of the Clean Water Act (CWA).

San Francisco Bay and Shoreline Band

In addition, the San Francisco Bay Conservation and Development Commission (BCDC) has regulatory jurisdiction, as defined by the McAteer-Petris Act, over the Bay and its shoreline, which generally consists of the area between the shoreline (or Mean High Water Mark) and a line 100 feet landward of and parallel to the shoreline. Construction activities, including ground disturbance for all development within the San Francisco Bay or within 100 feet of San Francisco Bay tidal marshes and Shoreline Band, typically requires a permit from the BCDC. Any fill materials installed within San Francisco Bay or the 100-foot shoreline band is subject to BCDC jurisdiction.

a/b. As previously documented in the 270 Beach Road Pier and Dock Replacement ISMND prepared by Jayni Allsep in 2017, the project site is not likely to support fish spawning habitat. However, eelgrass is present within the Project Area (see SES report, Attachment A. Figure 4. Eelgrass Habitat) and is anticipated to be present at the time of construction, although the extent cannot be determined more than 60 days ahead of project construction. The maximum extent of eelgrass habitat impact can be estimated based on the July 2023 eelgrass survey

as this was one of the highest growth years in recent history. If the same amount of eelgrass is present (that was present) in July 2023, the new floating dock finger would shade approximately 130 sf of vegetated eelgrass habitat and 93 sf of unvegetated eelgrass habitat. The installation of the one new pile would impact approximately 1 sf of unvegetated eelgrass habitat. The removal of the two berthing piles would be beneficial in the long term by restoring 2 sf of vegetated eelgrass habitat. (see SES report, Attachment A. Figure 5 Potential Impacts to Eelgrass Habitat). If eelgrass habitat recedes from the extent of the 2023 growth year, SES anticipates that eelgrass habitat impacts would be reduced as well. The proposed preconstruction and post-construction surveys conducted as required by the 2014 CEMP will provide the actual impacts to the eelgrass present at the time of construction.

Temporary Impacts

Temporary construction impacts may include minor and localized increases of turbidity, noise and vibration, and disturbance to the Bay substrate may occur during the removal and installation of the pilings. There will also be temporary (less than 6 hours) shading impacts from the 25' x 60' barge (1,500 sf) during construction. No contact of the barge and Bay substrate is anticipated. It is anticipated that a single period of shading will have no appreciable impact on the eelgrass bed or benthos. Impacts from the setting and removal of the barge spuds will be temporary as they will be in place for a maximum of six hours. Impacts will include the potential displacement of 2 sf of eelgrass and potential for minor turbidity to occur over a period of less than one hour. Eelgrass is anticipated to grow back quickly (within the season) in the areas where the spuds are placed. With the minimization measures in place, all construction-related activities are anticipated to be minor. No impacts are anticipated during the placement and attachment of the new floating dock finger to the existing dock and new pile as all work will be conducted above the water.

Permanent Impacts

The potential permanent structural impacts include the new 223 sf floating dock that will shade San Francisco Bay in the long term. The removal of two pilings and installation of one represents a long-term beneficial impact of 1 sf. Table 1 shows the temporary actions and their impacts on both bay substrates and overwater structures. Impacts are shown in Attachment A. Figure 5. Potential Impacts to Eelgrass Habitat. Although a boat will be moored in the slip, it is not considered here as the same vessel or up to 40 ft long by 12 ft wide vessel can already be moored between the existing mooring piles and the floating dock as previously authorized.

Best Management Practices included below in the in-water construction requirements and restrictions identified below in Mitigation Measures BIO-1 and BIO-2 would reduce potential impacts on aquatic species and habitats in the area to less than significant.

c/d. The Subject Area does not contain any ephemeral streams, wetlands, vernal pools, or riparian habitat. Eelgrass itself is not listed as threatened or endangered under the State or Federal Endangered Species Acts. However, because eelgrass is spawning ground for Pacific herring and is important habitat for other aquatic wildlife, eelgrass beds are regulated by CDFW through the CEQA review process and are considered Essential Fish Habitat (EFH) by NMFS. As a responsible agency under CEQA, CDFW can comment on any proposed project that may affect eelgrass habitat, and approve mitigation measures for any impacts. Protection of EFH is mandated through the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to protect the loss of habitat necessary to maintain sustainable fisheries in the United States. Implementation of Mitigation Measures BIO-1 and BIO-2 would ensure compliance with policies and development standards established to protect eelgrass habitat and would reduce potential impacts on aquatic species and habitats in the area to less than significant. Accordingly, the project, would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Impacts would be considered less than significant with Mitigation Incorporation.

e/f. There are no woodland areas within the Subject Area. Furthermore, the project does not entail any physical improvements or site disturbance to uplands or woodland areas and as a result, does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plans, Natural Community Conservation Plans or other approved local, regional or state habitat conservation plans because the provisions applicable to the subject site require review and approval by state and regional agencies for consistency with the plans. As proposed, the project is designed to adhere to the regulatory requirements of the USACE, RWQCB, and NMFS. Mitigation Measures BIO-1 and BIO-2 will ensure a less than significant impact for construction and in-water work to develop the pier. Impacts would be considered less than significant with Mitigation Incorporation.

Mitigation Measures:

Mitigation Measure BIO-1: Implement CDFW-Recommended Measures to Avoid Disturbance of Eelgrass Beds.

Mitigation Measure BIO-1: Implement CDFW-Recommended Measures to Avoid Disturbance of Eelgrass Beds. Eelgrass has been shown to be present historically within the Study Area (Attachment A. Figure 4). The most recent eelgrass survey, conducted by Sunset Environmental Solutions in July 2023, observed eelgrass in the project location for the proposed floating dock addition (Attachment A. Figure 3). Following CEMP 2014 guidelines, a pre-construction eelgrass survey of the Study Area will be

conducted within 60 days before the beginning of construction and within 30 days of the end of construction by a qualified biologist with previous experience conducting such surveys. Monitoring will occur for two years following construction. The Order No. R2-2018-0009 covers project actions associated with construction or maintenance, including upgrades, retrofit, expansion, demolition, and reconfiguration of piers and docks (including associated ramps and floating docks) where the Applicant owns or operates a waterfront structure of less than 10,000 square feet (sq. ft.) of overwater coverage, including additions. This Order also includes pile removal, replacement, and installation. To mitigate the potential for disturbance of eelgrass beds from the proposed project, the applicant shall implement the following measures recommended by CDFW:

- a. **Conduct a preconstruction survey.** The applicant shall conduct a survey of the tidal area where the pier is proposed prior to the beginning of construction activities related to the pier. The survey requirements are as follows:
 - The survey shall be conducted by a qualified biologist with previous experience conducting such surveys.
 - The survey shall be conducted during the active eelgrass growth season from April to October. The survey will be valid for 60 days.
 - The survey shall comply with all survey recommendations of the California Eelgrass Mitigation Policy and Implementing Guidelines prepared by NMFS Southwest Region, October 2014.
 - Survey results shall be provided to the reviewing regulatory agencies upon completion for review.

- b. **If eelgrass disturbance cannot be avoided, prepare and implement a monitoring and mitigation plan.** If survey results indicate that eelgrass is present and disturbance of eelgrass beds cannot be avoided, the applicant shall prepare a monitoring and mitigation plan as follows:
 - A monitoring and mitigation plan shall be prepared by a qualified biologist with experience in surveying, monitoring, and implementing eelgrass mitigation plans.
 - A post-construction eelgrass survey and assessment of impacts shall be completed in the same month as the preconstruction survey during the next growing season immediately following the completion of the project, or within the first 30 days of completion of construction if within the active growth period. The post-construction survey shall document adverse impacts to eelgrass and any changes in density and extent of vegetative cover. The post-construction survey and impact assessment shall be conducted in compliance with California Eelgrass Mitigation Policy and Implementing Guidelines prepared by NMFS Southwest Region, October 2014.
 - The affected area and a reference area shall be monitored for a period of no less than 2 years following construction.
 - Eelgrass beds shall reach a minimum recovery of 100% aerial coverage and 85% density compared to preconstruction levels and when compared to non-project changes in eelgrass coverage and density as indicated by the reference area.
 - If the affected eelgrass mitigation areas have not met the recovery criteria described above at the end of the 2-year monitoring period, additional mitigation will be required in consultation with CDFW and /or NMFS to meet the final mitigation ratio of 1:1.

Mitigation Measure BIO-2: Implement NMFS 2018 NLAA Program Measures and Compliance during Construction. To mitigate the potential for disturbance of eelgrass beds during construction of the proposed project, the applicant shall implement the following Avoidance and Minimization Measures:

Specific Criteria

- The 2018 NLAA Program covers construction (including replacement) of single newly constructed boat docks, piers, and overwater structures (floating or non-floating) that do not exceed 1,500 square feet of overwater surface area. Projects with multiple docks cannot be separated to meet the requirements of the 2018 NLAA Program.
- A debris containment system, including a silt curtain, will be installed around the entirety of the work area and any construction debris will be recovered as quickly as feasible for proper disposal.
- All staging, on-site fabrication, and materials modifications will occur on the barge of land to the greatest extent feasible.
- Projects with in-water work that are located within a distance of 33 feet to 66 feet of SAV must adhere to the following measures:
 - Barge work will only occur during high tides to ensure the barge bottom does not come within 18 inches of the bay bottom at MLLW.
 - Ensure that barge spuds, anchors and chains, and other vessel equipment are not directly deployed in eelgrass or the 17-foot perimeter around eelgrass.
 - Ensure that vessel propellers do not scar or scour eelgrass or the 17-foot perimeter around eelgrass.

- No new creosote-treated piles will be installed.
- All floating dock pilings, mooring dolphins, and fender piles must be capped with devices (bird spikes or similar) to prevent perching by piscivorous bird species.
- Effective erosion and sediment control best management practices (BMPs) will be undertaken and maintained to prevent discharge of sediment to waters of the State. This includes the aforementioned debris boom and silt curtain.

Pile Driving

- Impact hammer with steel piles – Piles must be 12 inches or less in diameter, and the hammer must be 3,000 pounds or smaller and must use a wood or plastic cushion block between the hammer and pile. Limited to projects using only one hammer and less than 20 piles installed per day.
- Install and remove piles with a vibratory hammer whenever possible, rather than the direct pull or clamshell method. Under those conditions where impact hammers are necessary (e.g., substrate type and seismic stability) the pile must be driven as deep as possible with a vibratory hammer before the use of the impact hammer.
- When pile driving in an intertidal area (a place that is exposed at low tide), drive piles during low tide when minimal water is present, and substrates are exposed.
- Removed piles will be placed on the barge such that all sediment and runoff is captured in a basin and not allowed to enter the water.
- If a piling breaks off above the mudline during removal, the loose piece of pile will first be placed on the barge or onshore prior to removing the remaining portion of the pile.

Work Windows

- Work will only occur in the San Francisco Bay work window of June 15 through November 30 to avoid salmonids and spawning pacific herring.
- Project activities are to occur only during daylight hours.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

As previously documented in the 2017 270 Beach Road Pier and Dock Replacement ISMND, the City-owned parcels where the existing pier was constructed were identified as having low (APN 060-261- 11) and medium (APN 060-225-06) sensitivity for both prehistoric and historic resources. Further evaluations determined that there were no known cultural resources present on the project site and recommended mitigation measures that address the unanticipated discovery of cultural resources and human remains, would reduce potential impacts to less than significant.

Archaeological Resources

Similar to the 2017 pier project, the proposed project could further disturb some submerged soils could which has the potential to contain unknown Native American archaeological resources. However, as previously documented, significant Native American sites identified within the City of Belvedere, mainly exist on Belvedere Island, and the proposed location of the waterfront improvements is not within the area identified by Archeological Resource Service (ARS) in the General Plan 2030 as being part of a recorded archaeological site.

Historic Resources

The existing pier was previously evaluated for historical significance and determined not to qualify. The residential structure at 270 Beach Road is not identified as local historic landmark although it is identified as having high sensitivity for historic resources and eligible for the National Register (because it is over 100 years old). As part of the 2017 ISMND, the pre-existing pier, gangway and floating dock were

determined to not contribute to the character-defining features and potential historic significance of the subject property. Therefore, the current proposed project would not cause a substantial adverse change in the significance of a historical resource as defined by CEQA.

Tribal Cultural Resources are addressed in **Section XVIII, Tribal Cultural Resources** below.

- a-b. The 2017 270 Beach Road Pier and Dock Replacement ISMND determined that there were no potential impacts to archaeological or historical resources as a result of the project. While the proposed project is similar in scope, there would be new in-water work and as a result there could be impacts to previously unknown resources. Based on the above, although there are no known cultural resources present on the project site, the mitigation measures would reduce potential impacts to less than significant in the unanticipated discovery of cultural resources and human remains during construction.
- c. No human remains have been encountered on the property and no information has been encountered that would indicate that this project would encounter human remains. However, if resources are found during project grading, future construction on the project site is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard conditions of approval noted above. Impacts would be less than significant.

Mitigation Measures:

Mitigation Measure CR-1: Unanticipated Discovery: If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. A Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may be required if the nature of the unanticipated discovery is prehistoric.

Work cannot continue within the no-work radius until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR.

If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. The determination shall be formally documented in writing and submitted to the lead agency as verification that the provisions in CEQA/NEPA for managing unanticipated discoveries have been met.

Mitigation Measure CR-2: Unanticipated Discovery of Human Remains: In the event that evidence of human remains is discovered, or remains that are potentially human, construction activities within 50 feet of the discovery will be halted or diverted and the requirements of Mitigation Measure #CR-1 will be implemented. In addition, the provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. When human remains are discovered, state law requires that the discovery be reported to the County Coroner (Section 7050.5 of the Health and Safety Code) and that reasonable protection measures be taken during construction to protect the discovery from disturbance (AB 2641).

If the Coroner determines the remains are Native American, the Coroner notifies the Native American Heritage Commission which then designates a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the Public Resources Code). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a re-interment document with the county in which the property is located (AB 2641).

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a. The proposed project entails the addition to an existing pier and floating dock. Construction of the existing pier is typical of other in-water work and would not require significant or wasteful activities. Operation of the pier would mainly be passive in the sense that no energy is needed for use of the pier. Therefore, the proposed project would not result in significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation. No impacts would occur.
- b. The proposed project would not conflict with the provisions of a state or local plan for renewable energy or energy efficiency because there are no physical disturbance applicable to the subject site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil creating substantial direct or indirect risks to life or property? Expansive soil is defined as soil having an expansive index greater than 20, as determined in accordance with ASTM (American Society of Testing and Materials) D 4829.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion:

The project site is located along the eastern shoreline of Belvedere Island within the intertidal/subtidal area of Belvedere Cove, which is part of Richardson Bay and the larger San Francisco Bay. The tide lots on which the project site is located are assumed to have geotechnical and soil characteristics similar to the adjacent parcels. No geotechnical investigation was conducted as part of the current proposed project.

- a.
 - i.) There are no known faults on the project site as shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map. As such, the proposed project would result in a less than significant impact with regards to rupturing a known fault.
 - ii.) All areas of the Bay Area are subject to strong seismic ground shaking. No site disturbance is proposed as part of the project. Any future construction in the Subject Area would be required to comply with the latest building standards and codes, including the California Building Code that would reduce any potential impacts to a less than significant level.
 - iii.) No subsurface conditions have been identified on the project site that indicated a susceptibility to seismic-related ground failure or liquefaction. Compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.
 - iv.) The proposed project is located within the intertidal/subtidal area of Belvedere Cove and no landslides are present or have been mapped in this area. Compliance with the latest edition of the California Building Code for seismic stability would result in less than significant impacts.
- b/c/d. None of the proposed structures are for human habitation, and residential units are not permitted in the Recreation or Open Space zoning districts. Furthermore, the project has been designed by a registered professional engineer (W.B. Clausen Structural Engineers, February 13, 2024), following current engineering practices. Prior to issuance of a building permit, the project design must be found by the Building Department to conform to the current standards for earthquake-resistant construction and other potential hazards, including the UBC, for seismic safety. Conformance with the UBC would reduce any potential impacts from seismic events, unstable, soils, and other hazards to a less-than- significant level.
- e. The subject property is currently served by the Richardson Bay Sanitary District for the existing single-family residence sewer needs. No septic tanks or alternative wastewater systems would be required. No impacts would occur.
- f. According to past site evaluations, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. If resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with standard condition of approval identified in **Section V, Cultural Resources** above.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VIII.	GREENHOUSE GAS EMISSIONS. Would the project:				
a)	Generate a net increase in greenhouse gas emissions in excess of applicable thresholds adopted by the Bay Area Air Quality Management District or the California Air Resources Board which may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an adopted climate action plan or another applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The City of Belvedere adopted a Climate Action Plan (CAP) in June 2022. The City of Belvedere recognizes its vital role in reducing greenhouse gas emissions and adapting to climate change. The purpose of this Climate Action Plan (CAP) is to update the Belvedere Climate Action Plan 2011, report on existing actions, and recommend future potential strategies that the City take to address the local consequences of climate change. The CAP briefly defines climate change and its potential impacts. It focuses on policies and practices Belvedere can employ to reduce its greenhouse gas emissions and locally mitigate detrimental impacts of climate change. The updated plan acknowledges that climate action planning is an ongoing planning process that includes assessing, planning, mitigating, and adapting to climate change. Additional information on the City CAP can be obtained at the City of Belvedere Department of Planning or [http:// https://www.cityofbelvedere.org/climate-action-plan/](http://https://www.cityofbelvedere.org/climate-action-plan/).

Of the GHG reduction strategies identified in the CAP, the following goals and policies are applicable to the proposed project:

Goal 3.5.C2: Reduce All Other Solid Waste Disposal to Landfills by 25%.

Develop Construction and Demolition Recycling Ordinance specific to Belvedere’s conditions that will require the salvage, reuse, and recycling of construction debris at all construction sites. (General Plan Policy SUST-5.1)

a/b. The proposed project is consistent with the June 2030 Belvedere General Plan and the greenhouse gas emissions anticipated from implementation of the General Plan fall below the BAAQMD thresholds of significance for greenhouse gas emissions. Additionally, the General Plan incorporates provisions to further reduce greenhouse gas emissions. For projects that involve demolition of structures or substantial renovation of an existing building, the City requires that contractors demonstrate how this target will be met for construction waste and debris.

The proposed project would not generate a substantial source of greenhouse gas emissions that may have a significant impact on the environment. Due to the small scale of proposed improvements and construction activities, and because the proposed improvements would not substantially change or increase the intensity of the existing use of the site, GHG emissions associated with the project would be below the thresholds that signal a significant impact. Therefore, impacts related to GHG emissions, both individually and cumulatively, would be less than significant and no mitigation is required.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wild-land fires, including where wild-lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project would not involve the transport of hazardous materials other than those small amounts utilized for a typical boat pier. Impacts would be less than significant.
- b. Hazardous materials such as diesel, maintenance fluids, and paints are mainly used onsite during construction activities. Should hazardous materials be stored onsite, these materials would be stored in secure locations to reduce the potential for upset or accident conditions. Therefore, it would not be reasonable for the proposed project to create upset or accident conditions that involve the release of hazardous materials into the environment. Impacts would be less than significant.
- c. There are no schools located within one-quarter mile from the existing winery building. According to Google Earth, the nearest school to the project site is Reed Elementary School, located approximately 0.75 miles to the north. No site disturbance or construction activities are proposed as part of the project. No impacts would occur.
- d. Based on a search of the California Department of Toxic Substances Control database, the project site does not contain any known EPA National Priority List sites, State response sites, voluntary cleanup sites, or any school cleanup sites. No impact would occur as the project site is not on any known list of hazardous materials sites.
- e. No impact would occur as the project site is not located within an airport land use plan.
- f. Lower Woodwardia Lane, a 10-foot wide, city-owned lane, runs along the northwest side of the property at 270 Beach Road down onto the shoreline area near the proposed replacement pier and dock. This lane is shown on the City's Conceptual Evacuation Map (Exhibit 12 of the General Plan) along with other City lanes because they are important alternatives to auto use in an emergency. The proposed replacement of the existing pier and floating dock would not impair or physically interfere with use of the lane during an emergency evacuation or response.
- g. The project would not increase exposure of people and/or structures to a significant loss, injury or death involving wild land fires. The project would not involve the transportation of hazardous materials or create foreseeable upset and accident conditions. While road closure is not expected during construction, any request for road closure would be subject to review and approval by the Public Works Department, to ensure that no interference with emergency response vehicles would occur. The project would comply with current California Building Code requirements for fire safety. Impacts would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces which would:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

On April 7, 2017, Governor Jerry Brown signed an executive order lifting California's drought emergency in all but four counties (Fresno, Kings, Tulare and Tuolumne). The City of Belvedere has not adopted or implemented any additional mandatory water use restrictions. The City requires all discretionary permit applicants to comply with water-efficient landscaping and irrigation in order to document that sufficient water supplies are available for the proposed project and to implement water saving measures to prepare for periods of limited water supply and to conserve limited resources. The City also adopts the most current Marin Municipal Water District (MMWD) Ordinance, and any amendments or successors thereto, and designates MMWD, the local water provider, to implement, enforce, and monitor its requirements for all discretionary permit reviews.

Therefore, any potential impacts on water quality and water quality requirements attributable to erosion of soils would be less than significant.

a/b/c. The proposed project would not influence groundwater supplies or substantially alter the existing drainage pattern of the site or area, because the proposed pier decking and floating dock would be located above the water line and are designed to allow water to flow through, under or around the structures. The design and construction of residential dock and pier improvements are subject to review by the City Engineer and Public Works Department, and are subject to the requirements of the Marin County Stormwater Pollution Prevention Program (MCSTOPPP). The project requires a water quality certification from the RWQCB for the discharge to waters of the State of California associated with the construction of the new pier and floating dock. City building permit standard requirements include the submission of an erosion control plan, which includes the measures that would be taken to prevent loose dirt and soil from washing into Richardson Bay. Implementation of standard requirements from the City of Belvedere, MCSTOPPP, and RWQCB, to the extent they are applicable to in-water construction, would ensure that the project does not violate any water quality standards or impair water quality.

The project would not violate any water quality standards or waste discharge requirements nor substantially deplete local groundwater supplies. There is no site disturbance or construction activities proposed as part of the project. Prior to any future construction related activities and issuance of a grading or building permit, a Stormwater Pollution Prevention Plan (SWPPP) and/or Erosion and Sediment Control Plan (ESCP), in accordance with the requirements of the statewide Construction General Permit and City of Belvedere development standards, may be required. Impacts would be less than significant. The project would not substantially alter the drainage pattern on site or cause a significant increase in erosion or siltation on or off the project site. Improvement plans will require standard stormwater quality treatment controls to treat runoff prior to discharge from the project site. The incorporation of these features into any project would ensure that the proposed project would not create substantial sources of polluted runoff. In addition, the proposed project does not have any unusual characteristics that create sources of pollution that would degrade water quality. Impacts would be less than significant.

d. Seiches and tsunamis are short duration earthquake-generated water waves in large, enclosed bodies of water and the open ocean, respectively. The extent and severity of a tsunami would be dependent upon ground motions and fault offset from active faults. The site is not located within a mapped tsunami inundation area. The Belvedere CAP states that by the end of the century, sea level is projected to rise 2.4 to 3.4 feet, and possibly as much as 10 feet. The proposed pier addition would be subject to BCDC Climate Change policies that require small projects do not negatively impact the Bay and do not increase risks to public safety. (BCDC, San Francisco Bay Plan - Climate Change, amended 2011). As documented in the 2017 270 Beach Road ISMND, the project site is potentially subject to shoreline inundation and flooding by tsunami and large storms. According to the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA), the project site is located in Zone VE, a high-risk coastal area with a 1% or greater chance of flooding and additional

hazard associated with storm waves. Current FIRMs establish the base flood elevation (BFE) at the project site at 13 feet NAVD88 (FIRM Panel 06041C0527E effective date 3/16/2016). Any new “habitable space” constructed within this zone must be elevated above BFE. The proposed project consists of outdoor waterfront improvements for recreational use, and does not propose the construction of a new dwelling unit or habitable space of any kind. Therefore, potential impacts from inundation and flooding would be less than significant.

- e. The proposed project would not conflict with a water quality control plan or sustainable groundwater management plan because there are no such plans applicable to the subject site. No impacts would occur.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI.	LAND USE AND PLANNING. Would the project:				
	a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a-b. The existing pier, gangway and floating dock are located on two City-owned parcels: APN 060-225-06, and APN 060-261-11, both of which have an “Open Space” designation on the City of Belvedere General Plan 2030 Land Use Map. The proposed replacement pier, gangway and floating dock would be located on these same two parcels. The proposed project would not divide an established community. Primarily, the new pier addition will be located on a City of Belvedere owned parcel. APN 060-261-11, zoned R-Recreation, is a 70-acre parcel comprised of the open waters of Belvedere Cove. Per Section 19.20.010 of the BMC, uses permitted in this zone include public or private recreational uses, including any beach, park, playground, boardwalk, esplanade, open walk, path, pier, wharf or other facilities for boats are permitted provided that construction of any new structure, or alteration, extension, enlargement or movement of any existing structure, is authorized by a use permit approved by the Belvedere Planning Commission.

APN 060-225-06, zoned O-Open Space, was conveyed to the City of Belvedere from the Belvedere Land Company and is one of five parcels that comprise an area along the westerly side of Belvedere Cove, referred to as “The Strip”. Lower Woodwardia Lane, which runs along the northwest side of the property at 270 Beach Road, is part of APN 060-225-06 (see Figure 2). Per Section 19.16.020 of the BMC, public and private gardens, paths and uncovered walkways and like uses consistent with preservation of natural scenic beauty uses are permitted in the O zone. Per Section 19.16.030 of the BMC, outdoor recreational use, including parks, beaches, and like uses consistent with preservation of natural scenic beauty are allowed with a use permit approved by the Planning Commission.

As documented in the 2017 270 Beach Road Pier and Dock Replacement ISMND, the current proposed pier expansion would be required to comply with all City of Belvedere Zoning Ordinance and Architectural and Environmental Design Review regulations. In addition, the project requires approval by other agencies, including the San Francisco Bay RWQCB, USACE, and BCDC. Project approval from these agencies would ensure that there would not be conflicts with state and federal water quality, hazards, and biological resources policies and plans. The project conforms to the Richardson Bay Special Area Plan, which would also be confirmed by BCDC through that agency’s permitting process. The proposed project is compliant with the physical limitations of the City of Belvedere Zoning Ordinance. Impacts would be less than significant.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII.	MINERAL RESOURCES. Would the project:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a/b. There are no known mineral resources in the City of Belvedere, and therefore, the proposed project would have no impact on mineral resources. No other local specific plan or other land use plan identifies any mineral resources on the project site. No impacts would occur.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Because Belvedere is a fairly quiet community, intermittent noise sources are noticeable. Noise is not absorbed by open stretches of water, therefore, noise that occurs along the Belvedere shoreline can be noticeable from a substantial distance across the water, affecting a larger area.

Applicable Local Plans, Policies, Regulations, and Laws

City of Belvedere General Plan 2030

The Noise Element in the City’s General Plan 2030 (Chapter 9) which contains Goals, Policies, and Actions addressing the community’s exposure to existing and projected noise sources. These goals, policies and actions are derived from Belvedere’s Overall Vision and Guiding Principles that preserve the special and unique sense of place of Belvedere while allowing changes that enhance the community. Those most applicable to the proposed project are listed below:

Goal N-1: Continue to maintain compatible noise levels within the city and to protect the public health and welfare of its residents by reducing or eliminating unnecessary noise impacts.

Policy N-1.1: Utilize the Noise and Land Compatibility Standards shown in Figure N-1, and the noise level performance standards in Tables N-1 and N-2, as a guide for future planning and development decisions.

Actions:

N-1.1.1: Continue to apply the current Noise Ordinance to regulate construction noise, amplified sound, hours of use for equipment, etc.

N-1.1.2: Adopt and apply quantitative noise standards for stationary noise sources, to be incorporated into the City of Belvedere Municipal Code (Title 8, Health & Safety, Chapter 8.10, Noise) for the resolution of noise complaints associated with existing sources.

Policy N-1.3: Minimize noise due to construction impacts.

Actions:

N-1.3.1: Approval from the Building Permit and Planning Departments is required to be issued for all construction requirements in the City. The hours for construction shall continue to be limited from 8:00 a.m. to 5:00 p.m. Monday through Friday. The City Manager may, upon discretion, grant written exceptions to this condition whenever such work can be demonstrated to be necessary to protect the public's health and safety.

N-1.3.2: A noise control plan shall be reviewed as part of Design Review for all development applications involving pile driving or jack hammering.

Policy N-1.4: Minimize noise generated from outdoor uses and events such as exterior speakers, spa and pool equipment, roof-mounted exhaust fans, emergency generators, multiple air conditioning units, exterior inclined elevators, as well as infrequent loud noises such as pile driving that can be disturbing to nearby homes.

Actions:

N-1.4.1: The City of Belvedere shall not approve of any mechanical equipment that exceeds 55 dBA at the property line without appropriate mitigation measures.

N-1.4.3: The operation of nuisance noise sources shall typically be prohibited between the hours of 9:00 p.m. and 7:00 a.m., Sunday through Thursday, and between 11:00 p.m. to 7:00 a.m. on Fridays and Saturdays. These restrictions shall also apply to amplified sounds and mechanical equipment in neighborhoods, such as HVAC equipment, exhaust fans, generators, and landscape equipment.

N-1.4.4: Exterior speakers are discouraged. If installed, exterior speakers shall be minimized and shall face the subject residence rather than being directed outward toward the hillside and water. Amplified sound shall not be directed towards the neighboring properties or the water. Sound from exterior speakers and equipment will be contained by appropriate insulating features.

N-1.4.5: Erratic loud noise sources such as pile driving shall conform to the City's mandated construction hours of 8:00 a.m. to 5:00 p.m. on weekdays, and shall not occur on weekends or City holidays.

Construction-generated Noise. Construction of the pier and floating dock would be subject to standard conditions of approval limiting hours of construction. Hours of construction are limited to 8 a.m. to 5 p.m. Monday through Friday, and no work on city holidays. Application of these standard limitations on hours of construction would ensure that any temporary and/or periodic increase in noise from project construction would be limited to less noise-sensitive times of day. However, project construction would still create a temporary and/or periodic increase in ambient noise levels in the project vicinity above levels existing without the project during construction activities.

Chapter 8. 10 of the Belvedere Municipal Code regulates noise within the City. Section 8.10.050 B.M.C. states that "The conduct of any loud, unnecessary or unusual noises, prohibited by section 8. 10.020 between the hours of 9 p.m. and 7 a.m. Sunday through Thursday and 11 p.m. to 7 a.m. Friday and Saturday in such a manner as to be plainly audible at a distance of fifty (50) yards from the structure, vehicle, or premises in which it is located, shall be prima facie evidence of a violation of this Chapter."

The maximum noise level that could be considered potentially compatible with recreation parcels is 65 Ldn, with conditionally acceptable levels up to 80 Ldn. According to the General Plan 2030 analysis, occasional noise complaints might occur if noise exceeded 65 Ldn, but complaints could more typically be expected at levels over 65 Ldn. Noise associated with pile driving can be as loud as 81-96 dBA as measured 50 feet from the project site.

With implementation of Mitigation Measure NOISE-1 below, the standard limitations on hours of construction, restrictions on in-water construction activities discussed under **Section IV, Biological Resources** above, and conformance with noise standards contained in the Belvedere Municipal Code, noise impacts associated with project construction and operation would be less than significant.

Operational Noise. The proposed project does not include the installation of external speakers, boat lift, or any other mechanical equipment. Use of the proposed pier and floating dock would be subject to the noise standards in the Belvedere Municipal Code that prohibit the conduct of any loud, unnecessary, or unusual noises between the hours of 9 p.m. and 7 a.m. Sunday through Thursday and 11 p.m. to 7 a.m. Friday and Saturday in such a manner as to be plainly audible at a distance of 50 yards from the structure, vehicle, or premises. Therefore, operation of the proposed project would have a less-than-significant impact related to noise.

Mitigation Measures:

Mitigation Measure NOISE-1: Create and Implement a Noise Control Plan (construction). In conformance with General Plan Policy N-1.3, the project sponsor/property owner and/or contractors shall create and implement a noise control plan specific to the proposed project, which shall be reviewed and approved by the Building and Planning Departments prior to issuance of a building permit and enforced through City inspections. The Noise Control Plan shall include but not be limited to the following:

- Measures that will be taken to minimize noise and vibration impacts on adjacent properties from pile driving and/or jack hammering
- Identify any combination of legal, nonpolluting methods to maintain or reduce noise impacts to levels at or less than 75 Ldn, as measured 50 feet from the location of construction activity; and
- Provide name and telephone number of person who will be responsible for implementing these measures.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIV.	POPULATION AND HOUSING. Would the project:				
	a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- The project site is on City-owned property that is used for outdoor recreation and open space. There are no housing units or habitable structures on the property. The proposed pier addition is intended for private recreational use by the 270 Beach Road property owner and would not be available to the general public. Therefore, the project would have no impact on population growth or existing housing that would necessitate the construction of replacement housing. The project will not result in population growth. No impact would occur.
- No existing housing or people would be displaced as a result of the project. Therefore, the project would not displace substantial numbers of existing housing or numbers of people necessitating the construction of replacement housing elsewhere and no impact would occur.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV.	PUBLIC SERVICES. Would the project result in:				
	a) Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The proposed project involves an addition to an existing private boat dock on a privately owned property that would continue to be used for private residential use, with no substantial increase in intensity of use. Therefore, the project does not require increased fire protection, police protection, schools, parks, or other public facilities. Therefore, impacts on public services would be less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. The project would not significantly increase use of existing park or recreational facilities based on its limited scope. No impact would occur.
- b. The proposed project involves the addition to a privately owned boat pier and dock that has previously been evaluated for environmental impacts. As designed, the project will not have an adverse physical effect on the environment through incorporation of mitigation measures to reduce impacts to a less-than-significant level. Therefore, impacts would be considered less than significant.

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system and/or conflict with General Plan Policy CIR-16, which seeks to maintain an adequate Level of Service (LOS) at signalized and unsignalized intersections, or reduce the effectiveness of existing transit services or pedestrian/bicycle facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a geometric design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
f) Conflict with General Plan Policy CIR-23, which requires new uses to meet their anticipated parking demand, but to avoid providing excess parking which could stimulate unnecessary vehicle trips or activity exceeding the site's capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-f. As documented in the 2017 270 Beach Road Pier and Dock Replacement ISMND, the project site is located on City-owned property that is used for outdoor recreation and open space, and would continue to be utilized as such after completion of the pier addition and floating dock in the same general location. These improvements are intended for private recreational use of watercraft. The project does not include improvements that would impact a congestion management program or air traffic pattern. The project does not generate any conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Furthermore, the project would not obstruct use of the water by other watercraft and any project construction staging will be addressed during preconstruction meetings between the project contractor, City Building Official, City Public Works Superintendent, and City Engineer. While road closure is not expected, any requests for road closure would be subject to review and approval by the Public Works Superintendent, to ensure no interference with emergency response vehicles. The project would not obstruct fire district water access to Belvedere Island. Impacts related to transportation and traffic would be less than significant. Additionally, the project site is not located within or near the designated navigation channels identified in the Richardson Bay Special Area Plan. Therefore, the project would have no impact on marine navigation. (RBSAP, Dec 6, 1984, Map 6, p. 49).

Mitigation Measures: None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

As discussed in **Section V, Cultural Resources** above, significant Native American archaeological sites have been identified within the City of Belvedere, many of them on Belvedere Island. However, the proposed waterfront improvements are not within an area identified by Archeological Resource Service (ARS) as being part of a recorded archaeological site.

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not the proposed project may have a significant impact on a Tribal Cultural Resource. Section 21073 of the Public Resources Code defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004." In Belvedere, the Federated Indians of Graton Rancheria ("FIGR") has requested City consultations on projects that have the potential to impact a Tribal Cultural Resource. AB 52 established that a substantial adverse change to a Tribal Cultural Resource has a significant effect on the environment. In assessing substantial adverse change, the City must determine whether or not the project will adversely affect the qualities of the resource that convey its significance. The qualities are expressed through integrity. Integrity of a resource is evaluated with regard to the retention of location, design, setting, materials, workmanship,

feeling, and association [CCR Title 14, Section 4852(c)]. Impacts are significant if the resource is demolished or destroyed or if the characteristics that made the resource eligible are materially impaired [CCR Title 14, Section 15064.5(a)]. Accordingly, impacts to a Tribal Cultural Resource would likely be significant if the project negatively affects the qualities of integrity that made it significant in the first place. In making this determination, the City need only address the aspects of integrity that are important to the TCR's significance.

a/b. On August 24, 2024, the City sent invitations to Native American tribes who had a cultural interest in the area to consult on the proposed project and who as of that date had requested to be invited to consult on projects, in accordance with the requirements of Public Resources Code section 21080.3.1. No responses were received within 30 days of the Tribe's receipt of the invitations. The proposed project does not include physical site disturbance or improvements that require grading or other earth moving impacts. There would be no subsurface activities as a result of the proposed project. The project does not include any listed or eligible resources on site that are in the California Register of Historical Resources or local register. As detailed in **Section V**, above, if resources are found during any earth disturbing activities associated with the project, construction of the project is required to cease, and a qualified archaeologist would be retained to investigate the site in accordance with the following condition of approval pursuant to the Belvedere General Plan 2030 Preservation Element General Plan Policy PRES-3. Although there is no evidence of Native American habitation and/or use of the project site, there always remains the potential for ground-disturbing activities to expose and disturb unknown Tribal Cultural Resources. Such disturbances could constitute a significant impact. With the implementation of TCR-1, impacts on Tribal Cultural Resources would be less than significant.

Mitigation Measures:

Mitigation Measures

Mitigation Measure TCR-1: Unanticipated Discovery Measures for Tribal Cultural Resources. If subsurface deposits believed to be cultural or human in origin are discovered during construction, then all work must halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- a. If the professional archaeologist determines that the find does not represent a cultural resource, then work may resume immediately and no agency notifications are required.
- b. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, then he or she shall immediately notify the City of Belvedere and applicable landowner. The agencies shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be eligible for inclusion in the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR). Work cannot resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not eligible for the NRHP or CRHR; or 2) that the treatment measures have been completed to their satisfaction.
- c. If the find represents a Native American or potentially Native American or tribal cultural resource that does not include human remains, then he or she shall further notify FIGR Tribe. The agencies shall consult with the tribe on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be eligible for inclusion in the NRHP or CRHR. Work cannot resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not eligible for the NRHP or CRHR; or 2) that the treatment measures have been completed to their satisfaction.

If the find includes human remains, or remains that are potentially human, then he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Marin County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the Coroner will notify the Native American Heritage Commission, which then will designate a Native American Most Likely Descendant (MLD) for the project (Section 5097.98 of the Public Resources Code), which may or may not be the FIGR Tribe. The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, then the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinterment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIX.	UTILITIES AND SERVICE SYSTEMS. Would the project:				
	a) Require or result in the relocation or construction of a new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a-c. The project site is located on City-owned property that is used for outdoor recreation and open space, and would continue to be utilized as such at project completion. The project involves the addition of an existing pier and floating dock in the same general location. These waterfront improvements are intended for private recreational use of watercraft. The project would not influence existing or proposed stormwater facilities, water supply and wastewater facilities, nor would the project generate significant levels of solid waste. Therefore, the project would have a less-than-significant impact on utilities and service systems.

d/e. There would be limited site disturbance and solid waste proposed as a result of the project construction. Even so, the project site would be served by the Mill Valley Refuse Service which operates a refuse collection fleet of vehicles and makes separate weekly collection of refuse, recyclable materials, and green-waste. Collected materials are taken to the Marin Resource Recovery Center, operated by Marin Sanitary Service and located on Jacoby Drive in San Rafael. There, recyclable materials are processed for market and compostable and disposed materials are transferred to the Redwood Landfill, located north of Novato just east of US 101. Redwood Landfill is permitted to accept 1,390 tons per day of refuse for disposal, and has sufficient capacity through approximately 2040. The project would comply with federal, state, and local statutes and regulations related to solid waste. No impacts would occur.

Mitigation Measures: None required.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XX.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b) Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a/b. The proposed project is located within the Tiburon Fire Protection District responsibility area and is classified as a moderate fire hazard severity zone. The project would not substantially impair an adopted emergency response plan or emergency evacuation plan because the proposed project does not entail physical improvements or changes to the existing ingress or egress to the subject property. The project would comply with current California Department of Forestry and California Building Code requirements for fire safety. Any future construction would be subject to Tiburon Fire Protection District and California Building Code requirements. Impacts would be less than significant.
- c/d. Implementation of the project does not include the development of any new infrastructure or vehicle access. As a currently developed property, the property owner would implement a horizontal and vertical vegetation management plan consistent with Tiburon Fire Protection District requirements for proper management and maintenance of the property. Impacts would be less than significant.

Mitigation Measures: None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a. As discussed in **Section IV, Biological Resources** above, the proposed project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels with implementation of mitigation measures to protect eelgrass habitat. As identified in **Section V, Cultural Resources** above, no known historically sensitive sites or structures, archaeological or paleontological resources, sites or unique geological features have been identified within the project site. The project, with proposed mitigation measures, would not cause substantial adverse effects on human beings, degrade, the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

Although the Project has the potential to affect unknown, buried historical resources and archaeological resources under Section 15064.5 of the CEQA Guidelines and Tribal Cultural Resources as defined by the CEQA Statute Section 21074, mitigation measures have been provided to reduce these potential impacts to a less than significant level. For the reasons discussed above, the proposed project would not generate any significant direct, indirect, or cumulatively considerable impacts on the environment with incorporation of mitigation measures.

- b. The project does not have impacts that are individually limited, but cumulatively considerable. Potential air quality, greenhouse gas emissions, hydrology, and traffic impacts would likely not occur as a result of the project and are discussed in further detail in the respective sections above. The project would not increase the demands for public services or increase traffic and air pollutants which contribute to cumulative effects when future development in Belvedere is considered. Cumulative impacts of these issues are discussed in previous sections of this Initial Study. Potential cumulative impacts would be less than significant.
- c. All impacts identified in this Initial Study are either less than significant after mitigation or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human being either directly or indirectly. Impacts would be less than significant.

Mitigation Measures: None Required.

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Belvedere Planning Division. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

1. City of Belvedere General Plan 2030 adopted June 2010.
2. City of Belvedere Zoning Ordinance, as amended May 2024.
3. Marin County GIS; Marin Map; www.marinmap.org, accessed June, 2024.
4. Clausen Engineers, Float Improvements, 270 Beach Road, Belvedere, California, February 13, 2024.
5. Sunset Ecological Solutions, Supplemental Information, 270 Beach Road Float Improvements Project: 270 Beach Road, Belvedere, Marin County, CA.
6. __, 2023 Post-Construction Eelgrass Survey, 270 Beach Road Waterfront Improvements Project, 270 Beach Road, Belvedere Marin County, California, January 4, 2024.
7. Inter-departmental and Agency Memoranda and responses
8. 270 Beach Road –Fixed Pier and Floating Dock Replacement on City-owned Tide Lots Project Initial Study Mitigated Negative Declaration, June 2017
9. Formal Request for Tribal Consultation Pursuant to the California Environmental Quality Act, on 270 Beach Road Pier and Dock Addition, CA, Federated Indians of Graton Rancheria, Buffy McQuillen, THPO/NAGPRA, August 24, 2024.
10. City of Belvedere Climate Change Action Plan, adopted in June 2022.
11. CEQA Air Quality Guidelines, Bay Area Air Quality Management District, April, 2022.
12. Association of Bay Area Governments, Alquist-Priolo Earthquake Fault Zoning and Hazard Maps.
13. MMWD 2020 Urban Water Management Plan.
14. California Drought Portal, <https://www.drought.gov/states/california>, accessed August 2023.
15. BAAQMD website: <http://www.baaqmd.gov/>
16. Redwood Landfill website: <http://www.redwoodlandfill.wm.com/>
17. MCSTOPP: <http://www.marincounty.org/depts/pw/divisions/mcstoppp>